

Who controls the water levels at Oroville Dam ? DWR

Who benefits and profits from the water levels at Oroville Dam ? DWR and PG&E

Who is DWR under the control of ? Gov. Brown (staff former PG&E executives), Democrats and Liberals.

Who gives to Gov. Brown, Democrats and Liberals and basically has them bought and paid for ? PG&E

Respectfully - (b) (6)

----- Forwarded Message -----

From: "email@addthis.com" <email@addthis.com>

To: (b) (6)

Sent: Sunday, February 26, 2017 1:10 PM

Subject: Ignored Oroville warning raises big quake, levee questions

Blaming President Bush

[http://www.appeal-democrat.com/opinion/ignored-oroville-warning-raises-big-quake-levee-questions/article\\_5b2c753a-fbe9-11e6-9d7b-47dd4a2f8c35.html#\\_WL\\_NENYupvjE\\_email](http://www.appeal-democrat.com/opinion/ignored-oroville-warning-raises-big-quake-levee-questions/article_5b2c753a-fbe9-11e6-9d7b-47dd4a2f8c35.html#_WL_NENYupvjE_email)



## Ignored Oroville warning raises big quake, levee questions

[www.appeal-democrat.com](http://www.appeal-democrat.com)

Just because nature allows a delay of many years while officials dither over a catastrophe in the making doesn't make that disaster any easier to handle when it finally strikes.

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**3700 Pennington Rd.  
Within ½ m. KB Homes**



**4200 Block Pennington Rd.**







Mon Feb 27 11:49:24 EST 2017

Pruitt.Scott@epamail.epa.gov

Fw: Some modest recommendations to Superfund, Brownfield and other programs relating to contaminated sites

To: CMS.OEX@epamail.epa.gov

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**From:** Larry Schnapf <larry@schnapflaw.com>

**Sent:** Monday, February 27, 2017 11:26 AM

**To:** Pruitt, Scott

**Subject:** Some modest recommendations to Superfund, Brownfield and other programs relating to contaminated sites

Dear Administrator Pruitt,

I have been an environmental lawyer for over 30 years and currently serve as the chair of the NYSBA Environmental Law Section (and am a proud supporter of the President). Back in 2012, I served on the Romney Environmental Transition team. Attached is a memo I prepared that suggested some ideas for making CERCLA and Brownfield programs more efficient. I hope this memo triggers some ideas for your staff.

Best Regards and Good Luck,

L

Lawrence Schnapf



55 East 87th Street #8B  
New York, New York 10128

212-876-3189 (p)

(b) (6) (c)

[Larry@SchnapfLaw.com](mailto:Larry@SchnapfLaw.com)

[www.SchnapfLaw.com](http://www.SchnapfLaw.com)

2016-17 Chair-NYSBA Environmental Law Section

AV Preeminent Rating from Martindale-Hubbell

Listed in 2010-16 New York Super Lawyers-Metro Edition

Listed in 2011-16 Super Lawyers-Business Edition

Listed in The International Who's Who of Environmental Lawyers 2008-16

Chambers USA 2009-10 Client Guide of America's Leading Lawyers for Business.



TO: Kenneth von Schaumburg FROM: Larry Schnapf DATE: August 28, 2012

Dear Ken:

As a follow-up to our telephone call, I have listed below some ideas I have about reforming EPA's remedial programs. The ideas are not listed in order or importance. If control of Congress changes, we might want to convert some of these to legislative proposals.

**CERCLA Continuing Obligations Guidance-** The 2002 amendments to CERCLA added the Bona Fide Prospective Purchaser (BFPP) and Contiguous Property Owner defenses. These defenses (in particular the BFPP defense) were enacted to help incentivize purchasers to acquire and remediate contaminated properties so they can be put back into productive use. While EPA promulgated an all appropriate inquiries (AAI) rule to help define the pre-acquisition obligations necessary to be able to assert these defenses, there is little guidance from EPA on how property owners or operators may satisfy their "appropriate care" or "continuing obligations" so they can maintain their liability protection after taking title or possession of property. The 2003 "Common Elements Guidance" is inadequate. The lack of guidance and recent caselaw have created uncertainty for developers and undermined the value of these defenses. EPA should issue detailed guidance on what constitutes appropriate care. Developers and property owners should not have to rely on ASTM to provide guidance on how to comply with their legal obligations.

**Revise "Enforcement Discretion Guidance Regarding the Affiliation Language of CERCLA's Bona Fide Prospective Purchaser and Contiguous Property Owner Liability Protections"** – This memo did not sufficiently address concerns raised by the Ashley decision that purchasers of contaminated property could lose their eligibility for the BFPP by agreeing to indemnify sellers.

**More Robust Use of PPAs and CPO "Assurance Letters"**- With the passage of the 2002 CERCLA amendments, EPA announced in guidance that it would issue PPAs or CPO assurance letters only in rare instances because the landowner liability protections were self-implementing. However, these agreements can be incredibly valuable. EPA should urge its regional offices to issue such documents where they can facilitate redevelopment such as in urban superfund sites (e.g., Gowanus Canal, Newtown Creek) and where municipal governments are willing to foreclose on contaminated properties and then convey title to redevelopers.

**Clarify Scope of Municipal Liability Protections Under CERCLA to Encourage Taking Title of Vacant Properties and Facilitate Reuse-** There is considerable uncertainty among local government community if municipalities can invoke the protections of 42 U.S.C. 9601(20)(D) and (9601(35)(A)(ii) where they take title in lieu of formal tax foreclosure proceeding since this may not be "involuntary". Local governments might be more willing to take title and assemble vacant properties so they would become more attractive to redevelopment if they could obtain clarity on the scope of this protection. Presumably, a purchaser from a municipality would then be able to assert the BFPP or third party defense. A related problem is that the BFPP defense would not apply to local governments who took title prior to January 11, 2002. If control of Congress changes, this can be legislative proposal.

**Revise Status of Tenants of Brownfield Sites-** EPA's guidance "Enforcement Discretion Guidance Regarding the Applicability of the Bona Fide Prospective Purchaser Definition in CERCLA Section 101(40) to Tenants: Frequently Asked Questions" indicated tenant status was derivative of the owner so that if owner lost BFPP status, tenant could lose status as well. While EPA said it would exercise its enforcement discretion, this still creates uncertainty. I do not see any reason why EPA could not interpret the scope of the BFPP to apply to tenants in their own right. If control of Congress changes, this can be legislative proposal.

**Reform EPA Remedial Programs Into a Single Unified Cleanup Program-** Our nation's remedial programs were created as we became aware of new concerns. This has resulted in different cleanup standards and procedures. We have separate staffs for CERCLA, RCRA, TSCA (PCBs), USTs, etc. We now have three decades of experience remediating sites. I think we should strongly consider combining these discrete offices into one streamlined remedial office that will provide consistent regulatory approach and reduce unnecessary staff.

**Clarify Lender Obligations Following Foreclosure-** The original EPA lender liability rule contained a "bright-line" test for lenders to follow so they can be deemed to have taken commercially reasonable steps to sell property following foreclosure, thereby staying within the safe harbor created by the secured creditor exemption. Unfortunately, when the rule was vacated and the 1996 lender liability amendments were added to CERCLA, the "bright line" test was omitted. So lenders have no guidance on how to proceed during what is the worst economic downturn since the Great Depression. Can they reject an offer that is equal to artificially depressed price? How long can they hold onto property without losing protection? Some states allow for two years while others allow up to five years to sell the property. Greater clarity will help lenders move these properties. If control of Congress changes, this can be legislative proposal.

**Encourage States to Adopt Licensed Professional Programs-** States are facing severe staffing constraints which are creating backlogs in site remediation. Seems to me EPA could use its authority under section 128 of CERCLA (approval of state response programs) as well as its RCRA delegation authority to have states adopt licensed site professional programs like MA, NJ and CT so that states could devote their limited

resources to the sites that pose the greatest risk to human health and the environment. EPA could establish a national licensing program for consultants that sets forth minimum professional requirements and states could adopt these programs as part of their remedial programs. One way to accomplish this could be by amending the All Appropriate Inquiries (AAI) Rule to revise the definition of Environmental Professional. This could avoid having to promulgate a new regulation. If control of Congress changes, this can be legislative proposal.

Revise NCP- revising the NCP. It was last revised in 1990. Since then we've learned a lot about cleanup and have lots of informal guidance to help streamline the process and make it more cost-effective. Doesn't make sense to continue to follow the RI/FS lockstep process. Why review five alternatives? In NY, we have a proposed remedy and an unrestricted cleanup alternative and are able to generate robust cleanups. If we can incorporate these innovations in the NCP, we will be able to get faster cleanups that are more cost-effective while preserving right of contribution. Right now, firms are incentivized to follow the lock-step approach to preserve their ability to pursue cost recovery..

Revise CERCLA Disclosure Requirements With Amnesty Program To Incentivize Accelerated Cleanups- Property owners are not currently required to disclose historic contamination. As a result, many sites remain unremediated until the owner is ready to sell the property. To help accelerate cleanups, I think EPA could announce it was going to change its disclosure rules from reportable quantity approach to contaminant concentrations and at the same time provide current property owners a one year amnesty period to voluntarily disclose contamination. Much like the EPA audit policy, owners who disclose the existence of contamination that they are not responsible for would be afforded BFPP status. They would have to exercise "appropriate care" but not full cleanup. The SARA Title III program resulted in substantial reductions in pollution. It seems worth the try to experiment with an amnesty period for contaminated sites.

Limit Brownfield Grants To Sites With No Identified RPs- EPA has been granting brownfield grants to local governments without considering if there is a responsible party that could be incentivized to participate in a cleanup. Before EPA gives away public money, it should make a determination that there are no responsible parties. Brownfield funds should be limited to those sites that are truly orphans (i.e., the responsible party is defunct).

Move Away from Brownfield Grants/Loans and To Tax Credits- The brownfield financial incentives are becoming public works projects. The funding often takes too long for private development. Rather than giving funds to local government to investigate and reuse planning, we can incentivize the private market to do this work by expanding and extending brownfield tax credits. The New York Brownfield tax credit program has resulted in an estimated \$7.5B in investment in the state at a cost of \$750MM. Tax credits put the upfront risk on the developer instead of the taxpayers.

Require States To Use Parceling To Encourage RCRA Brownfields- EPA RCRA Brownfield Reforms urged states to allow owners or operators of TSDf to sell off clean parcels of their facilities (e.g., portions never used for any waste management) while the HWMUs or SWMUs were undergoing corrective action. EPA should more forcefully use its delegation authority to allow this much needed reform.

Clarify RCRA liability for Generator-only sites- There is much confusion if closure obligations for a generator site run with the land. In other words, a site may have been owner or operated by a defunct generator. A prospective purchaser is interested in redevelopment but is concerned it will become subject to closure obligations for the areas where wastes were managed. Presumably, generator sites could be treated as any brownfield site without the need to undergo formal RCRA closure.

Add Landowner Liability Protections to TSCA for PCB Cleanups- Purchasers often take steps to qualify for CERCLA BFPP only to learn after taking title that the property has been impacted with PCBs and they are subject to TSCA cleanup. This might require Congressional action but I do not see any reason why TSCA should not have a BFPP defense. After all, Congress added AAI and BFPP to OPA in 2004 with little controversy.

TSCA PCB Reform- The PCB cleanup and disposal rules are a bit RCRA-like, a bit CERCLA-like and not well integrated. The cleanup should also not depend on the original spill concentration but on current concentrations and media. I'd like to see the entire Subpart D to 40 CFR 761 repealed, and disposal of PCB-containing material handled entirely within RCRA via the listed-waste and LDR route.

Adopt National Environmental "WARN" Obligations Under RCRA- to prevent future brownfields, companies closing operations should be required to notify relevant permitting authority at least 90 days in advance of closing to ensure that appropriate closure occurs so that public money does not have to be used to address cleanup or local government seeks brownfield funds.

Adopt Restatement (Third) of Torts Approach to Joint Liability- When CERCLA was enacted, Congress said that liability should be premised on evolving concepts of common law. At the time of its enactment, the Second Restatement was in effect which favored use of joint liability for indivisible harm. However, this was before states began adopting comparative negligence statutes. The Third Restatement states that the law has shifted dramatically from the use of joint liability and that courts should try to find a basis for apportioning liability where there is a reasonable basis. Despite the publication of the Third Restatement in 2000, federal courts continue to cling to the doctrine espoused by the Second Restatement. As recently as last month, an appeals court declined to adopt the suggestion of an amicus brief submitted by The American Tort Reform Association to use the Third Restatement to apportion liability for the Fox River cleanup. My post on this case is at: <http://www.environmental-law.net/2012/08/7th-circuit-declines-to-apply-third-restatement-of-torts-in-apportionment-case/> . If control of Congress changes, we might want to have Congress clarify that CERCLA liability should be based on the Third Restatement. If control does not change, perhaps EPA could issue interpretative guidance that it now considers the Third Restatement to be the governing law for CERCLA liability. This is obviously very controversial but it would reflect the Congressional intent to follow the evolving common law. Others might not like the trend but

this is the direction where the law has moved.

Mon Feb 27 12:14:58 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: Welcome and we need your help  
To: CMS.OEX@epamail.epa.gov

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For the Daily Reading File

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**From:** Al Dentone <(b) (6)>  
**Sent:** Monday, February 27, 2017 11:58 AM  
**To:** Pruitt, Scott  
**Subject:** Welcome and we need your help

Alfred J. Dentone, President  
Inert Gas Injection, LLC (IGI)  
[corp@eliminatorbyigi.com](mailto:corp@eliminatorbyigi.com)  
(209)366-1859



April 10, 2015

Mr. Scott Pruitt, Director  
Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Dear Mr.

My name is Alfred Dentone and I'm the founder and president of a company called Inert Gas Injection, LLC (IGI, LLC). I have invented a device that utilizes Carbon Dioxide to control burrowing rodent pests and other pests. The device is called The Eliminator® and delivers Carbon Dioxide into the burrows, puts the rodent to sleep then they suffocate from lack of oxygen.

IGI has already received from the EPA a label for use of IGI Carbon Dioxide as a fumigant for various pests which took over a year to complete and OR, WA and now CA have approved the label in a little over 5 weeks.

The purpose of my mentioning this is to facilitate an understanding that I know what it takes to get a pesticide label approved by the various Federal and State agencies. What I have only recently been informed about absolutely infuriates me.

When I was told by the PRIA Committee within the EPA reviewing our simple label addition to include the burrowing rodents mentioned above I was told that this is just a simple label addition and it would only take 3 months. All I had to do was submit a few EPA forms and the field trial proving that our method worked and a payment for EPA reviewing the application.

As we were preparing the documents for review I received an email from the Manager of the same PRIA group telling me that he and the other Manager made a terrible mistake and that it was now going to take 12 to 15 months to get approval of the exact same label addition because it was going to now be classified as a "new use- outdoors". On top of the fee for review I now also had to retain a consultancy firm because of the complexity in reviewing this new label addition. My companies cost to hire this firm would be about \$60,000.00 for exactly the same Carbon Dioxide. This manager apologized to me in writing and during a phone call told me that the committee all knew that this was just Carbon Dioxide but they had to do what they were told to do from above and that this is the law as defined by the EPA. The EPA PRIA group is so blinded by their own mismanagement that they MUST consider Carbon Dioxide, the gas we exhale and that plants needs to survive, to be exactly the same as all of the incredibly dangerous toxic gases and baits that they have approved in the past.

Given this gross abuse of power and with you and the Trump Administration finally bringing changes to this horribly mismanaged bureaucracy I decided to communicate with you to see if there is anything that that can be done to stop this type of lunacy. Is there nothing that you and your organization can do to assist us in this matter of allowing our product, utilizing only Carbon Dioxide, to control burrowing rodents? We actually now have an ORGANIC version of Carbon Dioxide available to those growers and facilities that are organic in nature. They have no other efficacious product to use and are losing up to 40% of their trees, vines and other crops on an annual basis. To the best of my

knowledge this would be the first time that such a product has existed and still that doesn't matter when it comes to having a label addition approved. Absolutely incredible!

I am truly fearful that without intelligent intervention my company and I personally will not survive long enough to get our Carbon Dioxide product to market which would allow us to generate income. It is time for the

industry to have access to this product in place of the poison gasses and baits they are currently forced to use. Carbon Dioxide is safe for the user and the environment and Carbon Dioxide is in the air we breathe. The worst part is that these Federal employees don't really seem to know what they are supposed to do. On more than one occasion I have been told one thing, we follow their instructions and proceed down that path to only be told a month or two later, "Whoops, sorry that wasn't right and now here is what you must do". Our research has been set back over a year because of these "rule" reversals and has cost my company more than \$100,000. It appears that the EPA staff I have had to work with are merely sitting at their desk, complaining about how busy they are and clocking their time to get to their retirement from this government job. The very worst thing about all of this is that no one, and I mean no one, is willing to rock the boat and say that this is wrong. They just go with the flow so that at the end of the day Flint, MI occurs again.

In closing, I have complete email documentation for all of the claims that I have made above and I would very much appreciate having a discussion with you or an individual of your choosing so that we may see an end to this lunacy and I have clarification on how to proceed forward.

Regards,

Alfred J. Dentone  
President  
IGI, LLC  
(209)366-1859  
(b) (6)

Mon Feb 27 12:20:44 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: Filing Complaint Against BMW of North America  
To: CMS.OEX@epamail.epa.gov

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Assign to OAR for response. Direct reply is fine. Thanks.

- Brian

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**From:** (b) (6)  
**Sent:** Friday, February 24, 2017 5:57 PM  
**To:** Pruitt, Scott  
**Subject:** Fw: Filing Complaint Against BMW of North America

Mr. Pruitt:

Congratulations on your confirmation. I sent Ms. McCabe the email below last week and I wanted to follow up to ensure you received a copy.

Thank you for your service and your attention to this matter.

Sincerely,

(b) (6)

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**From:** (b) (6)  
**Sent:** Wednesday, February 15, 2017 6:13 PM  
**To:** mccabe.ca herine@epa.gov  
**Subject:** Filing Complaint Against BMW of North America

Ms. Catherine McCabe:

I hereby formally complain that BMW of North America is failing to follow the U.S. rules, and promulgations of U.S. law concerning emissions and emissions warranties. Please see the attached letter I sent to President Donald J. Trump. If you have any questions concerning my formal complaint, please do not hesitate to contact me.

Thanks and have a great day.

Sincerely,

(b) (6)

(b) (6)

February 15, 2017

President Donald J. Trump  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500  
(202) 456-7890

Mr. President:

Thank you for supporting U.S. citizens in free trade while also protecting U.S. companies and U.S. workers. As a fellow Wharton School Alumni, I know your experiences and background will benefit you while serving office.

I am writing to formally file a complaint against BMW of North America for not abiding by EPA Regulations that BMW agreed to follow so BMW could import vehicles into the USA. In a nutshell, BMW agreed to EPA regulations that if BMW imported vehicles into the USA that BMW would provide an 8 year, 80,000 warranty covering all components that effect the emissions quality<sup>1</sup>. My 2011 BMW 335D has 2 issues that affect emissions quality and now BMW does not want to cover these issues under the warranty. This is clearly unethical corporate behavior that could be another case study at The Wharton School.

On February 13, 2017, BMW offered me 25% coverage which is absolutely unacceptable. Please level the playing field for U.S. consumers and U.S. automakers by requiring BMW to abide by the rules they agreed to upon importation of their vehicles into the USA. Please enforce EPA rules and have BMW cover my vehicle at 100% coverage, which is what BMW is required to do under USA law.

My hunch is that if you start looking into this one particular issue you will find widespread abuse by BMW. In my opinion, due to the amount of warranty work on 2 diesel BMWs that I own, I believe BMW is partaking in the same emissions shenanigans that Audi committed. This sort of behavior by foreign companies needs to end so American manufacturers can have a level playing field to compete. U.S. Manufacturers follow U.S. law. Shouldn't BMW too? Please make BMW follow U.S. law.

On a personal level, I ask that you see that BMW complies with U.S. law expeditiously because not having a vehicle is causing a hardship on my family. My wife and I have a (b) (6) and, by having my 335D sit in BMW's maintenance facility, it's difficult on us.

Thank you for your time and your service to our great nation.

Sincerely,

(b) (6)

cc: Catherine McCabe, Acting EPA Administrator  
Ludwig Willisch, CEO BMW of North America  
Bernhard Kuhnt, Acting CEO of BMW of North America

<sup>1</sup> <https://nepis.epa.gov/Exe/ZyNET.exe/9101ZSGW.txt?ZyActionD=ZyDocument&Client=EPA&Index=1991%20Thru%201994&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&UseQField=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5CZYFILES%5CINDEX%20DATA%5C91THRU94%5CTXT%5C00000031%5C9101ZSGW.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=3#>

(b) (6)

Environmental Protection Agency  
Office of the Administrator 1101A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Subject: Salton Sea Infrastructure Project

Dear Administrator:

OFFICE OF THE  
EXECUTIVE SECRETARIAT

2017 FEB 27 PM 2:27

RECEIVED

Following is a description of a large project concerning the Salton Sea in California. This is a multi-faceted project with many moving parts. Please help bring this project to fruition.

- Prevention of dangerous dust storms
- Hydroelectric power plant
- Water recreational park
- Vacation home development
- Organic fertilizer plant

Salton Sea background story:

The modern Salton Sea was created by accident about one hundred years ago when the waters of the Colorado River were being diverted to irrigate the farms of the Imperial Valley of California. A canal failed and sent all the water of the Colorado River into the Salton Sea, which was a dry ancient sea bed. The entire Colorado River continued to flow into the Salton Sea for over a year. The Salton Sea is below sea level and so the water flowing into it stays there until it evaporates. Over many decades the Salton Sea received all the runoff from the surrounding farms. This runoff contained pesticides, herbicides, and fertilizers. These materials were determined later to contain dangerous toxic substances. The farmers in the area no longer use those chemicals but now the bottom of the Sea is coated with these chemicals in the form of fine dust. As the farmers have become much more efficient in the use of water, less runoff is flowing into the Sea causing it to slowly dry up. Once the Sea dries out, the toxic dust will be exposed and will be driven by winds to the surrounding communities, including Palm Springs, San Diego, Los Angeles and even reach as far north as Chatsworth, where I live. I do not want to be subjected to these toxic dust storms. A solution that has been proposed is to take ocean water off the coast of Oceanside, California and refill the Salton Sea, thereby covering the toxic dust. Over time the salt from the ocean will be deposited onto the Sea floor, encapsulating the toxic materials. This will require a large amount of ocean water and will take a long period of time.

The Salton Sea is over 200 feet below sea level, which means ocean water will flow downhill to get to the Sea. The amount of water flowing into the Sea to encapsulate the toxic materials is large enough to power a hydroelectric power plant using the flowing ocean water as the energy source. Quite a lot of electricity can be generated from this hydroelectric power plant and the plant will remain operational far into the future.

Adding this amount of ocean water to the Sea will allow the Sea to once again become the water recreation wonderland it used to be back in the 60's. Being so close to Palm Springs, San Diego, and Los Angeles, the Sea will become an entertainment and recreational destination for millions of tourists and locals alike.

Once the level of the Salton Sea becomes stable, the land around the Sea will be prime real estate ready for vacation home development.

Another money making operation in the area will be the harvesting of the fish, tilapia, from the Sea. Every few years there is a major die-off of these fish due to lack of oxygen in the water. Instead of letting this happen, the fish will be captured and turned into organic fertilizer to be used by the farms surrounding the Sea. A win for the health of the Sea and for the local farmers.

Thank you for taking the time to read this and I look forward to hearing from you on the subject. Feel free to contact me anytime to discuss this project.

Sincerely,

(b) (6)



(b) (6)



SANTA CLARITA, CA 91354  
13 FEB 2017 PM 1:11



**FEB 27 2017**

Environmental Protection Agency  
Office of the Administrator 1101A  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

20460-



Mon Feb 27 15:14:38 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: Senator Kamala Harris, Southern California Edison and PG&E  
To: CMS.OEX@epamail.epa.gov

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**From:** (b) (6)

**Sent:** Monday, February 27, 2017 1:49:40 PM

**To:** Pruitt, Scott; Rick Libby; Ron Sullenger; Amanda Hopper; Lisa Van De Hey; Harold Kruger; Steve Miller; Lou Binninger; Jim Whiteaker; Larry Munger; Dale Kasler; Ryan Sabalow; business@sfchronicle.com; bmercer@sfgate.com; newsletters@sfgate.com; gavalos@bayareanewsgroup.com; Matthew@Waterboards Buffleben; sectyrodriquez@calepa.ca.gov; Bryan@Waterboards Elder; george.low@waterboards.ca.gov; Wendy Wyels; pamela.creedon@waterboards.ca.gov; andrew.altevogt@waterboards.ca.gov; janiene.friend@water.ca.gov; maryann.archuleta@water.ca.gov; sarmstrong@waterboards.ca.gov; begelko@sfchronicle.com; Sutter Buttes Tea Party; ed.chapuis@fox40.com; Adam O'Connor; paul.scherbak@ch2m.com; Rhonda Shiffman; kathy.rose@ch2m.com; Steve Geiger; Brendan Kenny; metro@sfchronicle.com; Ryan Reilly; Chuck and Pat Miller; paul@a21r.com; assemblymember.gallagher@outreach.assembly.ca.gov; Assemblymember Gallagher; David Little; abyik@chicoer.com; tdelias@aol.com; progers@bayareanewsgroups.com; Larry Virga; John Lane; hhacking@chicoer.com; Doug Libby; headquarters@earthjustice.org; Sutter Ag; Timothy Stewart; jshufel@chicoer.com; lurseny@chicoer.com; newstips@kcra.com; action@earthjustice.org; adnewsroom@appealdemocrat.com; Nicholas Moore; Actionnewsnow News

**Subject:** Senator Kamala Harris, Southern California Edison and PG&E

Dear EPA Secretary Pruitt,

It appears that the former CA AG Kamala Harris who is now Senator Kamala Harris (who recently visited Oroville Dam) has basically helped utilities and their regulators in the past by warning them that they were coming so be prepared and by her inaction.

It appears in the past she put Southern California Edison and PG&E interest before the public interest by not following through on search warrants on the offices of utilities and regulators and inaction against PG&E to not help expose corruption.

Which was basically what SWRCB Bryan Elders did which allowed PG&E to change things around so it looked like everything was in ordered, cleanup the scene , fix maintenance and housekeeping issues, destroy evidence, tamper with evidence and remove evidence by allowing PG&E to completely remove the waste water and facility before he inspected it.

Plus he basically refused to examine all the records , logs and manifest to help determine if there was a discharge or not from the facility and help determine if the waste water was being disposed of at a location not listed on the NOIs which is prohibited and appears to be the case with some of the waste water from the R-503 Gridley, Butte County Project.

SWRCB Officials George Low who was involved in permitting the R-503 Gridley Project gave Butte County DA Investigator Nick Moore very conflicting statements to what SWRCB Bryan Elders reported about where the waste water was being transported and disposed of.

Mr. Low basically said that none of the R-503 Gridley Butte County waste water was transported outside of Butte County to Sutter County which contradicts what SWRCB Bryans Elders basically reported about some of the waste water being transported outside Butte county ,to Sutter County and Yolo County and disposed of which is at a location not listed on the R-502 Live Oak, Sutter County NOI and not listed on R-503 Gridley Butte County NOI. The R-503 NOI basically states that discharging / disposing of the waste water at another location not listed in the NOI is prohibited but that is exactly what PG&E was doing with some of its waste water.

Its the Gov. Brown Democrat Controlled Government Agencies / Cal/EPA / SWRCB who has authored false / misleading reports which has allowed PG&E to get away with violations so Senator Kamala Harris and the California Democrats / Liberals shouldn't be pointing figures at President Trump and EPA Secretary Pruitt especially when you examine the corruption that have been involved in with the energy / utility companies PG&E and Southern California Edison.

There needs to be a Federal Investigation into the relations between California Democrats, California Agencies, Gov. Brown , Senator Harris, and PG&E because they are all corrupt and dishonest according to many news reports.

How can you trust these people / agencies with Oroville Dam and Federal Funds when they are all corrupt and dishonest according to many news reports ?

Sincerely- (b) (6)

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## Did Kamala Harris Spike PUC Investigation To Help Her Democratic Friends?



Submitted by Liza Tucker on Tue, 04/05/2016 - 11:30

Why has CA Attorney General Kamala Harris issued search warrants for the offices of utilities and their regulators in a PUC corruption scandal and then not followed through? Could it be because she doesn't want to hurt powerful Democratic friends? That is what a **KPBS** (<http://www.kpbs.org/news/2016/apr/05/california-critics-kamala-harris-san-onofre-probe/>) investigative reporter is exploring.



When Harris sent investigators to execute a search warrant last year at the home of former PUC President Michael Peevey, consumer advocates cheered. That's where investigators found hand-written notes of a secret deal between Peevey and a Southern California Edison executive to put \$3.3 billion out of \$4.7 billion onto ratepayers for the closure of SCE's botched San Onofre nuclear generating stations. Nothing like a little help from your former boss. Peevey was once the President of Southern California Edison.

KPBS reports that six months later, Harris issued another search warrant for the offices of Southern California Edison and the PUC. Inexplicably, investigators never showed up, according to Mike Aguirre, a consumer attorney and former federal prosecutor. "You don't drop it off at the front door and say, 'Hey, gee send me your records.' That's the whole point of the search warrant is that you go in and you execute the search warrant and you seize the records because you are concerned that they are going to disappear," he told KPBS.

Aguirre's been fighting for access to public records about the deal that the PUC refuses to release. The PUC is claiming the documents are privileged. Harris could waive that privilege, but so far *nada*. "She has no presence, she has no involvement, she has no leadership. You have no sense of her being out there, out front, and saying, 'We're charging forward to do what's right,'" Aguirre said. Now why is that?

California Governor Jerry Brown could waive privilege, but he won't. That's because some of the communications about the San Onofre deal are between the Governor and the PUC—which may be why the PUC is fighting Aguirre so hard to keep them secret. Brown's coziness with utilities, and penchant for appointing former utility executives to positions of power, have raised troubling questions about his loyalty to utility interests rather than the public interest.

For one, Brown's executive secretary, **Nancy McFadden** (<http://www.consumerwatchdog.org/newsrelease/fppc-opens-investigation-governor's-top-aide-failure-disclose-timing-stock-sales-pge>), is a former Pacific Gas & Electric vice president. Now, because of our ethics complaint about McFadden to the Fair Political Practices Commission, she's under investigation for failing to disclose required information about her stock ownership in Pacific Gas & Electric after she joined Brown's staff.

Aguirre is continuing to fight for those emails after a Superior Court ruling that the emails could be reviewed for release was blocked. After an Appeals Court judge who went to law school with Brown issued a stay, Aguirre successfully fought to have him **removed** (<http://www.sandiegouniontribune.com/news/2016/mar/09/kline-out/>) from hearing the case. Could the release of those emails be so threatening to Brown that he will do anything to stop them from seeing the light of day?

Is this why Kamala Harris, who could access the records and communications that Aguirre seeks, is failing to act at all? Is she just running out the clock to keep from public scrutiny any evidence of corruption among her powerful democratic friends? Only time will tell.

Harris appears to be repeating the same mistake of inaction she made in the case against PG&E over San Bruno, which was taken over by the US Justice Department prosecuting the case this month. A big PG&E connection to Harris? Longtime mentor Willie Brown is also a longtime PG&E consultant.

Critics Unhappy With Kamala Harris' Approach To San Onofre Pr...



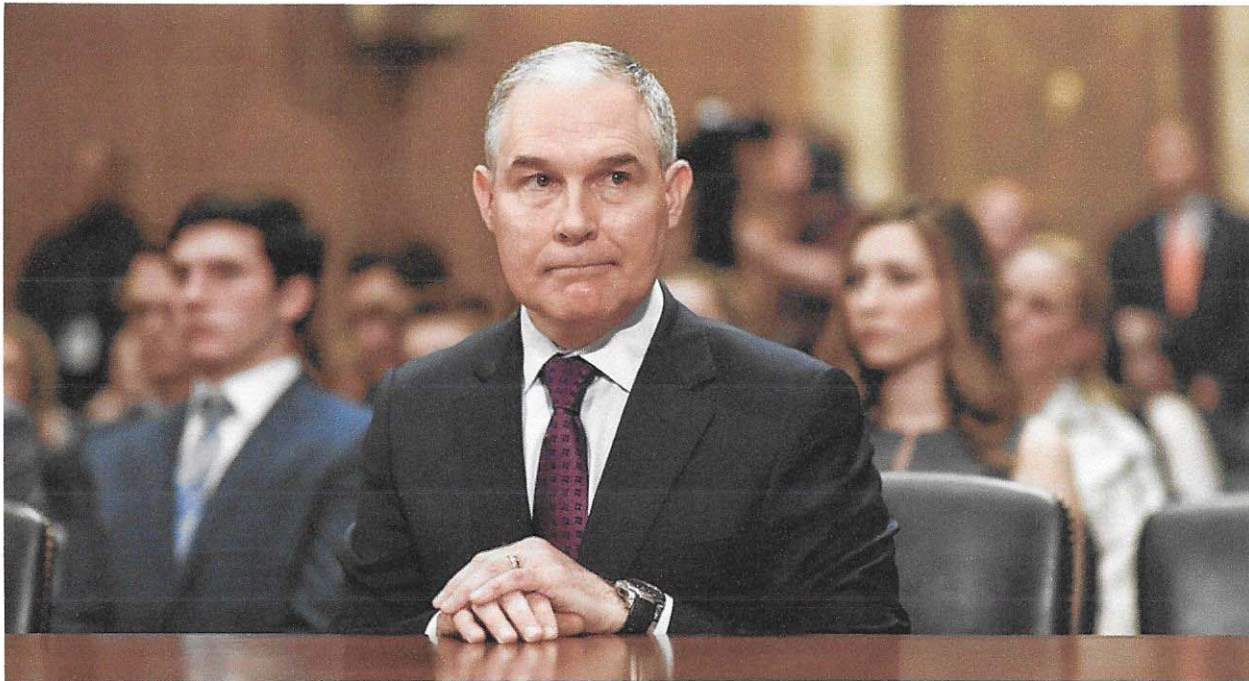
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## POLITICO



Scott Pruitt has been targeted by greens for his ties to the oil and gas industry, which has been a major contributor to PACs backing him. | John Shinkle/POLITICO

### EPA nominee Pruitt survives Democrat assault

By **ALEX GUILLÉN**, **ELANA SCHOR** and **ANNIE SNIDER** | 01/18/17 10:51 AM EST | Updated 01/18/17 07:58 PM EST

Democrats barraged Scott Pruitt on Wednesday, hitting the Environmental Protection Agency nominee on climate change and his ties to the oil and gas industry, but they landed few hits and appear to have little chance of slowing his march to confirmation.

That's because Pruitt — the Oklahoma attorney general who has sued the Obama EPA several times, including over its marquee climate regulations — can lose at least two GOP votes and still win Senate approval.

His measured support for federal biofuels policy during his Wednesday confirmation

hearing, as well as his sterling reputation among conservatives who see him as a champion to rein in EPA's powers, are helping smooth his path to approval despite Democratic attempts to undercut him as a tool of fossil-fuel producers.

Pruitt's leading role with the Republican Attorneys General Association, which he helped grow to a fundraising and political powerhouse with corporate support, fueled the most intense Democratic attacks during the more than six-hour hearing in the Senate environment committee.

Sen. Sheldon Whitehouse (D-R.I.) probed Pruitt repeatedly on RAGA's fossil-fuel industry backing, pressing him to defend private meetings held at one of the group's retreats with major energy interests, including Murray Energy, Southern Co. and American Fuel & Petrochemicals Manufacturers.

"These meetings take place all the time," Pruitt told Whitehouse, countering that there are similar groups of Democratic AGs and Western states' AGs active on policy matters.

Democrats asked Pruitt to commit to recuse himself from work on some of the 14 issues where he led Oklahoma in lawsuits against EPA, but he would only abide by a narrower agreement that's been blessed by a veteran agency ethics official. Under that agreement, EPA has determined that RAGA or its nonprofit policy arm, the Rule of Law Defense Fund, would have to actually be a party to a lawsuit or action involving EPA in order to trigger a conflict-of-interest authorization requirement, Pruitt told Whitehouse on Wednesday.

Whitehouse argued that ethics laws are not equipped to avoid potential conflicts over "dark money" fundraising groups that have proliferated in the wake of the Supreme Court's 2010 *Citizens United* decision.

"The whole purpose of advice and consent and the reason there are these government ethics filings is so that we can address this exact question" of ethical conflicts, Whitehouse said.

Pruitt also told Whitehouse that he did not directly ask any of three major fossil-fuel companies -- Koch Industries, Murray Energy, and Devon Energy -- to donate to RAGA.

However, a top Pruitt aide asked for Devon executives' help in getting the American Petroleum Institute to become a contributing member of the group, according to a February 2012 email from Pruitt aide Crystal Drwenski to Devon executives A.J. Ferate

and Bill Whitsitt.

Drwenski wrote in the email, a copy of which was obtained by POLITICO, that RAGA had tapped Pruitt to “play a leadership role” on “policy matters affecting the energy industry.” She asked the Devon executives to “make an introduction on our behalf” to a leader at API, the oil and gas industry’s top lobbying group.

Pruitt also attempted on Wednesday to reassure Democrats that he believes the climate is changing and that human activity is a factor in it. But he said the extent of human impact on the planet’s temperature and how to address the problem is up for debate, aligning with several other Trump nominees in an answer that runs counter to the scientific consensus that manmade pollution plays a significant role in global warming.

Republicans have hailed Pruitt’s ascension under Trump, particularly conservatives who say President Barack Obama’s EPA has vastly overreached with air and water regulations that attempt to implement policies they say only Congress has the authority to make.

Here are highlights of the hearing in the Senate Environment and Public Works Committee:

### **Pruitt: My opinion on climate change is ‘immaterial’**

An exchange on climate change between Pruitt and Sen. Bernie Sanders drew scoffs from the Vermont independent.

“The climate’s changing and human activity contributes to that in some manner,” but the degree of that contribution is “subject to more debate,” Pruitt said in response to questioning from Sanders, Pruitt also acknowledged that climate change is not a hoax, as President-elect Donald Trump has contended, and he said the EPA administrator’s job is to carry out the law as set by Congress.

But Sanders interrupted to ask his personal opinion of the science.

“My personal opinion is immaterial,” Pruitt said.

“Really?” Sanders replied. “You are going to be the head of the agency to protect the environment and your personal feelings about whether climate change is caused by human activity and carbon emissions is immaterial?”

“I believe that the administrator has a very important role to perform in regulating

CO<sub>2</sub>,” Pruitt said.

### **Pruitt defends sending oil company-authored letter**

Pruitt today told senators that he sent a 2011 letter about oil and gas industry emissions of methane — the key component of natural gas and a potent greenhouse gas — on behalf of his state, not for Devon Energy, the Oklahoma company that largely wrote the letter.

Democrats have seized on Pruitt’s decision to send the Devon-authored letter, first reported in 2014 by The New York Times, as a sign of Pruitt’s allegiance to the fossil-fuel industry over public health needs. Pruitt insisted under questioning from Sen. Jeff Merkley (D-Ore.), however, that his adoption of Devon’s argument was “not sent on behalf of any one company,” but on behalf of the entire “oil and gas industry that is vibrant to our state.”

EPA’s methods of estimating methane emissions from oil and gas wells “was a concern expressed by that industry,” Pruitt said. “It was the position of the state, not the position of any one company.”

Sen. Cory Booker (D-N.J.) followed that exchange by challenging Pruitt to specify the number of Oklahoma children suffering from asthma, which Donald Trump’s EPA pick could not do. Booker put the figure at more than 100,000.

“How many letters did you write to the EPA about this health crisis?” Booker said, referring to the childhood asthma that Democrats and green groups connect with industry pollution. “If this is representative government, did you represent those children?”

### **Pruitt changes view on Chesapeake clean-up deal**

Pruitt said that if approved by the Senate, he would enforce a multi-state Chesapeake Bay cleanup plan arrived by the Obama EPA with the region’s states, despite having previously sued to block the effort as Oklahoma attorney general.

Pruitt said that he initially had concerns about the precedent that the cleanup plan would set, particularly with respect to the Mississippi River basin, but that “through that litigation the EPA acknowledged their role was more informational.”

“I really want to emphasize to you, that process represents what should occur, for states

to join together and reach an agreement to address water quality issues and involve the EPA to serve the role it's supposed to serve," Pruitt said at his confirmation hearing today.

The landmark Chesapeake Bay plan sets pollution reduction targets across the 64,000-square-mile watershed and relies on EPA's powers to pressure states to follow through. Farm groups and developers fiercely opposed the Bay cleanup plan, and challenged it in court, although the Supreme Court declined to take up the case, leaving it in place.

### **Better record at the ballpark?**

Newly elected Sen. Kamala Harris (D-Calif.) questioned Pruitt about his record in court on the cases he had filed against the EPA — and Harris, a former California attorney general, used a baseball analogy, asking the nominee about his batting average.

"About .300," the former college baseball player answered, "which is good for a second baseman."

But Harris was unimpressed, saying his record in court against the EPA was far lower: ".142 by my calculation," she deadpanned, noting that he had lost 6 of the 7 settled cases.

### **Mercury rising**

Pruitt today said he believes mercury is a dangerous substance that should be regulated under the Clean Air Act — although he signed on to a major lawsuit against an Obama administration rule that aimed to reduce emissions from power plants.

"There was no argument we made as states that mercury was not a hazardous air pollutant," Pruitt told lawmakers today. "I agree ... that mercury is something that's very dangerous to our environment and should be regulated under Section 112" of the Clean Air Act.

Pruitt and various state and industry challengers argued in a 2012 court brief that regulating mercury emissions from power plants under the Clean Air Act "is authorized only if EPA were to determine that" power plant emissions alone risk "serious adverse effects to the public health."

### **Barrasso: EPA's 'failed leadership'**

Committee Chairman John Barrasso (R-Wyo.) opened the hearing by criticizing the

agency's "failed environmental leadership" under President Barack Obama, which he argues contributed to two environmental disasters — the Flint, Michigan, lead-contamination water crisis and the Gold King mine spill in Colorado.

"Those disasters hurt people, many from low-income and minority communities who can least afford it," Barrasso said.

"Clearly a change is needed," he added. "Any new administrator of the Environmental Protection Agency needs to protect the environment in a responsible way that doesn't ignore the good work that states do to protect their air, land and water, as well as their economies."

### **Pruitt promises to curb EPA role**

Pruitt addressed conservatives' complaints about the EPA, promising lawmakers that under his leadership, the agency would stop "picking winners and losers," according to prepared remarks.

He also accused the agency of overstepping its power, saying it had "bootstrapped its own powers and tools through rulemaking" that had triggered protracted litigation and that he would rely on the states rather than federal officials to be "our nation's front-line environmental implementers and enforcers."

Farmers, ranchers and small business owners have felt "hopeless, subject to a never ending torrent of new regulations that only a lawyer can understand," Pruitt's remarks said. "They fear the EPA, and that just shouldn't be the case. If confirmed, I will work tirelessly to ensure that the EPA acts lawfully, sensibly, and with those hardworking Americans ever in mind."

### **Carper: Pruitt's views are troubling**

Sen. Tom Carper, the top Democrat on the committee, indicated he is leaning against approving Pruitt, marking the second time the Delawarean has opposed a nominee for EPA administrator.

"Too much of what I've seen of his record on the environment and his views about the role of the EPA are troubling and, in some cases, deeply troubling," Carper said. In 2005, Carper voted against George W. Bush's nominee for his third EPA administrator, Stephen Johnson. Carper said at the time that he opposed Johnson because the Bush administration was allegedly blocking studies of power plant pollution, according to The New York Times.

CONGRESS JANUARY 18, 2017 7:04 PM

# Trump's EPA pick won't guarantee California's right to tougher auto emission rules



Environmental Protection Agency Administrator-designate, Oklahoma Attorney General Scott Pruitt, testifies Wednesday, Jan. 18, 2017, before the Senate Environment and Public Works Committee. **J. Scott Applewhite** - AP

BY STUART LEAVENWORTH  
[sleavenworth@mcclatchydc.com](mailto:sleavenworth@mcclatchydc.com)

WASHINGTON — During a contentious confirmation hearing on Wednesday, Donald's Trump nominee to head the U.S. Environmental Protection Agency said he'd open up a review of new federal auto emissions

standards and also review waivers granted to California to enact auto standards stronger than those of the federal government.

The remarks by Scott Pruitt, Oklahoma's attorney general, immediately drew rebukes from Democrats on the Senate Environment and Public Works Committee, including California's newly seated senator, Kamala Harris.

"I have real concerns on where he will go on that issue, and others," said Harris in an interview following the first half of the hearing. She said "it could do real harm to California" if Pruitt were to revoke California's longstanding authority to limit auto pollution and greenhouse gases.

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**I HAVE REAL CONCERNS ON WHERE HE WILL GO  
ON THAT ISSUE, AND OTHERS.**

Sen. Kamala Harris, D-Calif.

Pruitt, who has filed numerous lawsuits against the EPA while taking contributions from industries supporting those lawsuits, has long argued that states should have more authority to manage environmental issues. But when questioned by Harris and other senators about California's waivers, he declined to say if he would uphold them.

"Administrators in past have not granted the waiver and have granted the waiver," Pruitt said in response to questions from Harris.

"That is a review process that will be conducted. . ."

"What is your intention?" Harris shot back, interrupting him.

"I wouldn't know without going through the process and would not want to presume the outcome," Pruitt replied.

California started regulating air pollution in the 1960s, before the federal Clean Air Act was passed and signed into law by President Richard Nixon in 1970. That law allowed the Golden State to obtain waivers to enact its own pollution rules, including tailpipe standards, that are stronger than national thresholds, pending EPA approval.

Historically, the EPA has approved California's waiver requests, except during the administration of George W. Bush, when his EPA administrator, in 2008, rejected California's proposal to mandate fuel efficiency standards to reduce greenhouse gases.

One year later, the incoming Obama administration granted the waiver, and the federal government later adopted California's rules as a national standard. Although the U.S. auto industry had long objected to the standards, it reluctantly agreed to them as part of a bail-out deal with Obama.

On Friday, the EPA announced it was extending those efficiency standards to 2025, in line with California, but against industry objections. Auto executives have been lobbying Trump to roll back the standards, but on Tuesday, Pruitt signaled that, if confirmed, he would look into it.

"It merits review and I would review that," said Pruitt. He and GOP senators questioned the process of the EPA decision, with the agency releasing a decision just two weeks after public comments ended.

Don Anair, a clean vehicles specialist with the Union of Concerned Scientists in California, said that studies have shown the auto industry can meet the 2025 standards not just with electric cars, but with improvements to diesel-and-gas-powered vehicles.

Anair said he expects the auto industry to keep challenging the federal standards, but would be surprised if the Trump administration would try to overturn the existing 2025 waiver for California. "It would be difficult to change any existing waiver to California. But there could be a question going forward whether California could get another waiver," said Anair, a research and deputy director with the environmental group.

Gov. Jerry Brown has said he expects Trump to challenge many of California's efforts to reduce greenhouse gas emissions. California has hired former U.S. Attorney Gen. Eric Holder to assist with possible legal challenges to the new administration's policies.

Wednesday's hearing laid bare the partisan divide that accompanies deliberations over Pruitt and many of Trump's other nominees. Democrats pressed Pruitt on his industry ties, and how he'd handle conflicts created by his ongoing litigation against the EPA. Pruitt refused to commit to recusing himself on those decisions, saying he'd leave the decision to the EPA's ethics counsel.

Several Republicans gently led Pruitt into responses of how he'd handle "regulatory overreach" and "mission creep" within the EPA. Committee Chair John Barasso, R-Wyoming, repeatedly followed negative questioning of Pruitt by reading into evidence news articles and endorsements supportive of the attorney general.

Harris said she wouldn't decide on Pruitt's nomination until he finishes testifying, but said she has serious reservations. "What his record tells me is he willing to use his discretion and power in ways that will not help the people of

this country,” she said.

Stuart Leavenworth: @sleavenworth




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By Wells Fargo Asset Management

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Mon Feb 27 15:37:02 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: Federal Clean Water Act / CA Irrigated Land Program / Gov. Brown / PG&E  
To: CMS.OEX@epamail.epa.gov

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**From:** (b) (6) <(b) (6)>  
**Sent:** Friday, February 24, 2017 2:57 PM  
**To:** Pruitt, Scott  
**Subject:** Federal Clean Water Act / CA Irrigated Land Program / Gov. Brown / PG&E

Dear Mr. Scott,

My family is originally from Oklahoma and was involved in helping build up the oil and gas industry when they worked for Texaco. I also worked as a commercial diver in the oil and gas industry on the Gulf Coast so I can somewhat relate to you.

My family owns a small family farm in Live Oak, CA. which is about 30 minute south of Oroville Dam on the Feather River. We get our irrigation water from Oroville Lake so what goes on with the dam directly affects us. DWR water who controls the dam and irrigation water has greatly mishandled this over the years which I suspect will come out if the feds investigate the situation with Oroville Dam.

In 2014, they cut our water by 50% while allowing the irrigation canal to discharge into the drainage 24/7 for months and I suspect they also lied about our water supplies and water tables so they could force more regulations on us. They claimed there was a water supply shortage in our area but PG&E Utility had several pipeline repair projects in our area from 2014 to 2016 in which they had to drill a lot of wells so they could pump water out of the ground to bring the water table down. The water table was approximately 4 to 4.5 which is what it has been for the past 50 years.

As PG&E Project in Gridley, Butte county estimated they were going to get 50,000 gallons per day from dewatering operation but were getting over 500,000 so they started illegally discharging waste water in our ditch and then the SWRCB Special Investigations Unit authored false / misleading reports to help them get away with it, they failed to inspect the waste water and facility before it was removed which helped them get away with it and failed to calculate if more water came in than went out to help determine that they did discharge into the ditch.

I just recently found out that there is a lot of ongoing corruption and conflicts of interest between Gov. Brown, his staff, CA Government Agencies and PG&E because Gov. Brown has put several former PG&E executives on his staff. So there are former PG&E executives on Gov. Brown staff and holding high positions while PG&E is getting all kinds of government work and contracts even some linked to DWR and Oroville Dam. PG&E received millions of dollars from the Obama Administration which could have went to repair and update the Oroville Dam.

Billions of dollars went to green energy companies and projects because of so called Global Warming and Climate Change that should have went to repair Oroville Dam.

I find it very hypocritical that Democrats and Liberals will attack you over your contacts with the Oil and Gas Industry when Gov. Brown has former PG&E executives on his staff which appear to be involved in all kinds of corruption, bribery and conflicts of interest which some appears may have been ignored when Senator Kamala Harris was DA in San Francisco and the CA AG.

I don't if you know anything about the California Irrigated Lands Program but its a great example of government overreach and over regulation and its great hurting farmers because of what the State Water Agencies require us to do. Its so much to list so please look into and take it off our backs so we can farm / ranch and make a living because if not its going to put a lot of farmers out of business.

It is actually kind of a scam because the State Water Agencies couldn't implicate it themselves and monitor all the farmers so they passed regulations to form water coalitions which are suppose to be non government. But if you don't join a water coalition then you get fined a \$1000 and they make it very hard to operate. So basically its the government forcing farmers / ranchers to join a water coalition so they can find out every thing about our irrigation practices. I strongly suspect that they then will use to information in the future to tax our water use and issue violations and fines.

Its been my experience over the years with local, state and federal agencies that they are spending to much time and money on the Global Warming / Climate Change / Green Energy Scam / Falsehoods instead of real issues / problems.

We are requesting your help in doing away with the Irrigated Lands Program since it was implemented under the Federal Clean Water Act from what I understand.

I am requesting your help in getting the EPA and Feds to investigate the Regional Water Board, SWRCB Special Investigation Unit and PG&E because it appears there is some kind of corruption between them which allows PG&E to get away with violations. I suspect it is because PG&E has so much influence over Gov. Brown, CA Agencies and the Democrats.

I have attached some articles regarding the Gov. Brown / PG&E corruption and actually have a Grand Jury Complaint that might help expose some of it because SWRCB Officials lied and authored false / misleading reports which helped PG&E.

Respectfully- (b) (6) Ph# (b) (6)

(b) (6)

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## California governor's top staff are PG&E executives

Posted on [August 1, 2014](#)

Why has Governor Jerry Brown refused to fire CPUC Chairman Michael Peevey, formerly President of Southern California Edison?

The San Bruno explosion and ongoing investigations have brought many of the longstanding issues and internal problems at the CPUC into the open. The cozy relationship between Pacific Gas & Electric (PG&E) and the CPUC was further documented this week with the release of emails obtained by the city of San Bruno.[\[i\]](#)

However, to date, Governor Jerry Brown has ignored the substantial evidence of Chairman Peevey's autocratic rule, mismanagement, and conflict of interest. His office said in 2012:

**"We have confidence that the PUC will faithfully discharge their duties to zealously guard the public interest and get to the bottom of any injustice raised by the San Bruno pipeline explosion."**

[http://www.mercurynews.com/breaking-news/ci\\_21829508/mothers-pg-e-blast-victims-urge-brown-fire](http://www.mercurynews.com/breaking-news/ci_21829508/mothers-pg-e-blast-victims-urge-brown-fire)

Mothers of San Bruno PG&E blast victims urge Gov. Jerry Brown to fire state's top utility regulator, 10-22-12

Why?

Because Gov. Jerry Brown himself has a very, very close relationship with PG&E, and that conflict of interest doesn't bother him at all.

There are four people at the top of Brown's administration: Jerry Brown, his wife Anne Gust Brown, and former PG&E executives Nancy McFadden and Dana Williamson.

Brown appointed both these execs in 2011. Nancy McFadden was Senior Vice President and Senior Advisor to the Chairman and CEO of PG&E Corp. Prior to that, she was Senior Vice President for Public Affairs for PG&E Corp. and Pacific Gas and Electric Company.

Dana Williamson was Director of Public Affairs for PG&E.

Dana Williamson was hired as his senior adviser for cabinet and external affairs, and to oversee the governor's external affairs operation and the administration's Washington, D.C., office. Last summer, she was officially named as his cabinet secretary, "a job that has traditionally been the second-most-powerful staff position in a gubernatorial administration."

Nancy McFadden is his executive secretary/chief of staff, his gatekeeper. [\[ii\]](#)

It is incredible that any corporation should have such visible power over a government.

On top of that, when Brown was elected in 2011, San Bruno had just happened. The newspapers were full of the tragedy and the growing scandal over PG&E and the PUC. That continues to this day.

Furthermore, California voters had just defeated PG&E's Proposition 16 in June 2010. PG&E mounted a campaign, via this proposition, to stop the formation of locally-owned municipal utilities which were cutting into its monopoly.

Who ran that campaign at PG&E? Nancy McFadden.

McFadden also previously worked for Gov. Gray Davis.

Gov. Brown's connection with utility companies runs deep into his policy initiatives. For example, the high speed rail project he's pushing will benefit PG&E and Southern California Edison enormously because of the huge amount of electricity it would use.

So, don't expect Jerry Brown to take any real interest or action on the problems at the PUC. The problems with PG&E and other special interests start at the top in California – in the governor's office.

When are Californians voters going to fire Jerry Brown?

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March 29, 2014

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Anne Gust Brown: Much more than California's first lady

As special advisor to her husband, Gov. Jerry Brown, she's a power in her own right.

June 06, 2012

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Jerry Brown staff exodus continues, March 21, 2013

<http://blogs.sacbee.com/capitolalertlatest/2013/08/jerry-brown-fills-cabinet-secretary-post-after-all.html>

Jerry Brown fills cabinet secretary post, after all, August 15, 2013

<http://www.latimes.com/local/political/la-me-pc-jerry-brown-names-dana-williamson-as-cabinet-secretary-20130814-story.html>

Jerry Brown names new senior staff positions, 8-15-13

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[i] [http://www.contracostatimes.com/news/ci\\_26230237/san-bruno-demands-fines-against-pg-e](http://www.contracostatimes.com/news/ci_26230237/san-bruno-demands-fines-against-pg-e)

<http://sanfrancisco.cbslocal.com/2014/07/28/state-senator-says-pge-trying-to-get-away-with-murder-emails-following-deadly-2010-san-bruno-explosion-examined/>

[ii] "James M. Humes, who was Brown's top aide as attorney general, will be one of the most powerful officials in the new administration, along with Nancy McFadden, a former PG&E executive

...Humes, 51, will be Brown's executive secretary for administration, legal affairs and policy. Humes was Brown's top deputy in the attorney general's office and for the last four years has worked closely with Brown and his wife, Anne Gust Brown.

Gust Brown played a major part in her husband's gubernatorial campaign and will have an integral role in the new administration. Brown appointed her special counsel.

McFadden, a former advisor to Davis, will be the new governor's executive secretary for legislation, appointments and policy — Brown's top liaison with the Legislature. She and Humes are splitting a job traditionally held by a chief of staff." <http://articles.latimes.com/2011/jan/06/local/la-me-jerry-brown-20110106>

"Unlike past governors, Brown has no chief of staff. He initially split the job between two aides — Jim Humes and Nancy McFadden — when he took office in 2011. Humes left the administration for a seat on the state appellate court last year, leaving McFadden as the de facto chief of staff but working without the title."

<http://www.latimes.com/local/political/la-me-pc-jerry-brown-names-dana-williamson-as-cabinet-secretary-20130814-story.html>

Jerry Brown names new senior staff positions

"As the governor's gatekeeper and chief liaison to the Legislature, Nancy McFadden is the longest-serving loyalist in Brown's inner circle."

<http://articles.latimes.com/2014/mar/29/local/la-me-nancy-mcfadden-20140330>

Indispensable insider looks out for Gov. Jerry Brown's interests

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## Nancy McFadden

*Executive Secretary to Governor Edmund G. Brown, Office of the Governor, State of CA*

### Biography

Nancy McFadden is Executive Secretary to California Governor Edmund G. Brown, Jr. Prior to that she was the Senior Vice President and Senior Advisor to the Chairman and CEO of PG&E Corporation, and before that was the Senior Vice President of Public Affairs for PG&E Corporation and Pacific Gas and Electric Company.

Previously she was senior advisor to California Governor Gray Davis. A senior member of the Clinton Administration for eight years, she served as deputy chief of staff to Vice President Al Gore, General Counsel for the U.S. Department of Transportation and Deputy Associate Attorney General. The Washington Post named her one of the “go-to people” in the Clinton Administration for her significant record of accomplishment. She started her career practicing law with the firm of O’Melveny and Myers, during which time she was named “One of the 40 Best Lawyers Under 40” by Washingtonian magazine.

She has served on numerous boards, including the California Museum for History, Women’s Foundation of California, the California Foundation on the Environment and the Economy, and the Bay Area Council.

McFadden has a JD from the University of Virginia and a BA from San Jose State University.

G



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## Pacific Gas & Cronyism

Posted By *Andrew Stiles* On March 14, 2012 @ 5:00 am In Issues | [No Comments](#)

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President Obama's aggressive green energy agenda has produced its fair share of winners: Democratic donors such as [John Doerr](#), [George Kaiser](#), [Steve Spinner](#), [Sanjay Wagle](#), and [Harvey Whittemore](#); former vice president and green energy investor [Al Gore](#), General Electric CEO and White House jobs council chairman [Jeffrey Immelt](#), and [top executives at failed green energy firms](#).

And there have been losers: [Solyndra](#), [A123](#), [Ener1](#), [Fisker Automotive](#), [First Solar Inc.](#), [Amonix Inc.](#), [Beacon Power Corp.](#), [Energy Conversion Devices Inc.](#), [Nevada Geothermal Power](#), [Apound Solar](#), [SpectraWatt](#), [Cardinal Fastener & Specialty Co.](#), [Evergreen Solar](#), [Bright Automotive Inc.](#), [SunPower](#), [green energy shareholders](#), former Department of Energy loans director [Jonathan Silver](#), and [the American taxpayer](#), among others.

But few companies have more successfully cashed in on the flood of federal support for green energy than Pacific Gas & Electric (PG&E).

PG&E is the largest utility in California and operates as a [near-monopoly](#) in the northern half of the state. It [ranked 177th](#) on last year's Fortune 500 list, raking in \$13.8 billion in total revenues and \$1.1 billion in profit.

The company, which enjoys an extensive network of former high-ranking employees holding influential positions in government agencies at the federal and state level, has benefitted handsomely from government financing of green energy projects.

[According to Recovery.gov](#), PG&E received federal grants and contracts worth more than \$47 million as part of the 2009 stimulus package.

But that is hardly the extent to which the company has benefitted from federal largesse.

PG&E has become an aggressive buyer of power supplied by solar, wind, and other renewable sources, in large part due to [statutory requirements](#) under California's [Renewable Portfolio Standard](#), which mandated that 20 percent of the utility's electricity come from renewable sources by 2010—and 33 percent by 2020.

According the [Department of Energy Loans Program website](#), PG&E is the sole purchaser of power from a number of green energy projects financed with taxpayer dollars. Six solar projects that will sell power to PG&E have received a combined \$5.5 billion in taxpayer-backed

DOE loans, nearly one-third of the total funding allocated for the program in the stimulus package.

Those projects include the controversial BrightSource Energy development, linked to former Obama fundraiser Sanjay Wagle and Democratic fundraiser Harvey Whittemore, a close friend of Senate Majority Leader Harry Reid (D., Nev.) who is currently under FBI investigation for allegedly making illegal campaign contributions.

Additionally, PG&E has a power purchasing agreement with the Genesis Solar Energy Project, which has come under fire in recent months for its connection to the deaths of a number of local kit foxes—a protected species—and the possible defiling of a Native American burial site.

A renewable energy developer who has done business with PG&E told the *Washington Free Beacon* that the company operates as “basically a monopoly” in northern California, and is “pretty much impossible to deal with” as a result.

Projects cannot get approved without a power purchase agreement (PPA), typically lasting 20 years or longer, with PG&E, which routinely exploits its clout to demand exceedingly low prices.

According to the California Public Utilities Commission (CPUC), the government agency responsible for regulating the company and determining how much it can charge customers, payments made under PPAs “are fully recoverable in rates over the life of the PPA.” In other words, the costs are ultimately transferred to customers.

PG&E has managed to insulate itself from nearly all of the risks involved in the development process, the developer said, requiring prospective developers to put down multi-million dollar deposits and “jump through a ton of hoops” to get projects approved. Additional expenses—equipment upgrades, for example—are also typically passed on to consumers.

Another source, who has worked with PG&E in the past, declined to comment on the company, citing a fear of retribution. The developer who did speak to the *Free Beacon* said he was told not to speak to the press for this very reason. “They are shady as shit,” he said of PG&E.

When reached initially for comment, PG&E spokeswoman Lynsey Paulo asked to know the source of the allegations—either the name of the developer’s company or the particular stage of the development process the company was engaged in. Paulo later said she understood why the sources would prefer to be kept anonymous.

She said that while PG&E recognizes that renewable energy is more expensive, the company is meeting the California utility mandate “in ways that are cost effective to our customers.”

PG&E maintains a strong political presence in Washington, D.C., having spent \$81.4 million on

lobbying since 2008. The company's political action committee has given nearly \$380,000 to Democrats since 2008, more than double the amount it gave to Republicans during that same time. PG&E corporate officers and board members have given tens of thousands of dollars to President Obama and other Democrats since 2007.

The company is actively involved in California politics as well, primarily in support of Democrats. In 2010, PG&E gave more than \$1 million to Democratic candidates, and more than \$645,000 to the California Democratic Party. Gov. Jerry Brown (D) received \$31,580.

"PG&E believe that everybody benefits from a vibrant multipart system that provides the electorate with a broad field of qualified candidates," Paulo told the *Free Beacon*.

"Contributions are paid for with shareholder funds, not utility customer money."

Former PG&E employees currently hold, or previously held, high-ranking government positions at the state and federal level, furthering the company's influence.

Frank Lindh worked 16 years as an attorney for PG&E before being named general counsel of the CPUC. (He is also the father of convicted terrorist John Walker Lindh, who he has claimed is "entirely innocent.")

The relationship between PG&E and the CPUC has come under fire following an explosion at a San Bruno gas pipeline that killed eight people and destroyed nearly 40 homes. A subsequent investigation by the National Transportation Safety Board found that a history of operational deficiencies at PG&E and inadequate regulation by the CPUC were to blame for the tragedy. The company announced on Monday it would pay the city of San Bruno \$70 million in restitution for the blast.

The CPUC, which has the final say with respect to the PPAs between PG&E and developers, has on occasion rejected PPAs that it deems are "not price competitive with projects that are currently being offered to PG&E."

What this typically means, the developer said, is that higher-cost PPAs are revised to be brought in line with lower-cost arrangements, resulting in a better deal for PG&E. "This drives investors crazy," the developer said.

Mindy Spatt, spokeswoman for The Utility Reform Network (TURN), told the *Free Beacon* the CPUC's cozy relationship with the utilities it regulates is "the most egregious example" of how utility companies are able to game the system for their own gain at the expense of customers.

At least two former PG&E officials currently hold senior positions in Gov. Brown's administration. Former director of public affairs Dana Williamson was recently hired as a senior adviser, who will oversee the administration's lobbying efforts in Washington, D.C.

Last year, Brown appointed Nancy McFadden, PG&E's former senior vice president of public affairs, to the position of Executive Secretary for Legislation, Appointments and Policy. McFadden had previously served as general counsel to the U.S. Department of Transportation and was deputy chief of staff to former vice president and green energy investor Al Gore.

McFadden is also a former member of the Apollo Alliance, an influential conglomerate of labor groups and green energy proponents that boasts connections to Van Jones, the former White House green jobs czar who resigned under a cloud of controversy, and John Podesta, former president of the liberal think tank Center for American Progress and co-chairman of the Obama-Biden transition team. PG&E has donated at least \$75,000 to the Apollo Alliance since 2008.

Paulo said the company's network of former employees in influential positions was a testament to PG&E's "impressive and experienced workforce."

"Because of their talents, some of our former employees are called for opportunities in both the public and the private sector," she said.

Perhaps the most controversial former PG&E employee to hold an influential government post is Cathy Zoi. A former energy analyst for the company, Zoi served as chief of staff for environmental policy under President Clinton and was CEO of Gore's Alliance for Climate Protection, and was until recently President Obama's Assistant Secretary for Energy Efficiency and Renewable Energy (EERE). Part of her responsibilities included overseeing almost \$17 billion in federal stimulus funding for renewable energy projects.

Tim Carney of the *Washington Examiner* reported, "Zoi's tenure was rife with conflicts of interest." Her husband's window manufacturing company, Serious Materials, was publicly praised by Obama and visited by Vice President Biden. Serious received a stimulus tax credit worth more than \$584,000 and was the first window company to receive stimulus financing.

More:

Zoi testified before the Senate Energy and Natural Resources Committee in favor of a HOMESTAR program, also known as cash for caulkers, which became another subsidy for Serious.

At the time of her nomination, the couple owned between them 120,000 stock options in Serious Materials, according to her April 2009 personal financial disclosure. She also owned at least \$265,000 of stock in a Swiss company called Landis+Gyr that makes "smart meters," high-tech thermostats that the administration has promoted for saving energy.

Zoi left the Obama administration in February 2011 to join Silver Lake Kraftwerk, a private

equity fund financed by the controversial left-wing billionaire George Soros, who said, "developing alternative sources of energy and achieving greater energy efficiency is both a significant global investment opportunity and an environmental imperative."

PG&E's considerable political clout is evident to those with experience working with the company.

"There is definitely some politics going on," the developer told the *Washington Free Beacon*. "Everyone's in bed with everyone else."

"There is money to be made," he added. "But PG&E is making most of it."

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URL to article: <http://freebeacon.com/issues/pacific-gas-cronyism/>

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the survival rate for  
everyone drops to zero.

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# Oroville Dam Disaster Is Latest In Series Of CA Government Corruption, Environmental Failures

By William Craddick

Created 02/13/2017 - 16:41



[1]

by William Craddick [1]

Feb 13, 2017 4:41 PM

[2] [3]

On February 13th, 2017 residents in Oroville, CA, were given a last second, panicked directive [4] to evacuate their homes and flee the area due to concerns that the Oroville dam was about to imminently fail. At the time of this article, the dam has still not yet failed. Should it fail though, California's government may face tough questions about their failure to adequately prepare for a disaster they had been warned about for over a decade.

California negligently failed to make preparations for the inevitable end to a major drought [5] which had been occurring since 2011. For 12 years, environmental groups [6] had warned federal and state officials that the dam was likely to experience structural issues in the event of heavy rains and flooding. Reports [7] are surfacing that the large pothole which has lead to the failure of the Oroville dam spillway was known to the state government since 2013. Governor Jerry Brown had years to direct the Democrat controlled state government to authorize funding and enact plans for repairs to the dam while water levels remained low. The Water Quality, Supply, and Infrastructure Improvement Act of 2014 [8] set aside \$395,000,000 for flood management, but to date has not allocated any of it to actual repairs or projects, raising questions about where the money currently sits and what it has been used for since 2014.

California's corruption causes it to consistently approve projects which are financially and logistically convenient for special interest groups at the expense of their citizens. Energy companies in Southern California are currently being sued [9] by citizens over plans to bury nuclear waste from the reactors at San Onofre, California underwater in thin canisters without any clear explanation about how they would monitor the storage devices or explaining how the canisters will be removed once the 20 year approval permit has expired. The ill conceived project [10] was approved by the California Coastal Commission in 2015. The California Coastal Commission was created by Governor Jerry Brown and has been itself the source of controversy after they fired their executive director [11] Charles Lester, who was described as an "essential line of protection between developers and environmentalists." The Commission is currently the subject of multiple lawsuits [12], all of which allege that Coastal Commission members have had

improper private contacts with permit applicants (ex-parte communications) with developers or their representatives prior to voting on those permits.

Jerry Brown himself has recently come under scrutiny as well, after a February 1st, 2017 report by the Los Angeles Times <sup>[13]</sup> revealed that Governor Brown still retained \$15 million in campaign funds with no clear guidelines as to how he would spend it. This story follows reports <sup>[14]</sup> that Brown's Chief of Staff Nancy McFadden took over a million dollars from Pacific Gas & Electric Co. and continued to hold stock in PG&E despite playing a key role in the appointment process for new members of the state Public Utilities Commission, which regulates PG&E and other California utilities (including the ones behind the controversial plans for San Onofre's nuclear waste).

California California Coastal Commission California State Water Project California's government  
Corruption Environment Fail Feather River Kerning Oroville Oroville Dam Oroville,  
California Pacific Gas and Electric Company Public Utilities Commission Southern California  
Typography Water in California WebKit West Coast of the United States

**Source URL:** <http://www.zerohedge.com/news/2017-02-13/oroville-dam-disaster-latest-series-ca-government-corruption-environmental-failures>

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- [13] <http://archive.is/iF1GB>
- [14] <http://archive.is/M8DFM>

Mon Feb 27 15:47:24 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: CEQA NEPA  
To: CMS.OEX@epamail.epa.gov

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**From:** Deborah Deets <deborah.deets@lacity.org>  
**Sent:** Thursday, February 23, 2017 3:51 PM  
**To:** Pruitt, Scott  
**Subject:** CEQA NEPA

To: Scott Pruitt, US EPA

I work for City of Los Angeles, Bureau of Sanitation, Watershed Protection Division.

Our City Bureau of Engineering is the lead for a major, federally funded bridge project.

We have worked closely with BOE and previously with your federal Water Enforcement folks, and put together a vision and strategy for water conservation and quality that we are about to implement.

Our team is led by amazing people who seek whatever funds or economy is available to build a park and green streets that serve the people and environment.

Frankly, i do not fit the major political views in the city and am sad to hear all the backlash.

Am hopeful that known waste in the system might be redirected to the people, such as when we perform costly administrative and environmental documents for public park projects that are 100 percent focused on public and environmental benefits, can these be better designed to save money and serve the public?

We have already spent considerable public funds for engagement and outreach associated with a major bridge over Los Angeles River, and have worked with EPA on public outreach (with your water enforcement folks) that built up to this strategy for unifying the hydrology of streets, parks, development and LA River, for environmental and public benefits.

So I'm wondering if in such cases where as public entities, doing loads of outreach, that EPA might structure environmental permitting so that some of these millions could be extended to much needed capital improvements and public and environmental enhancements?

Politically, I realize this question is out of my scale of ask, but I'm a local civil servant, and I care about my single role amidst 3000+ engineers as a landscape architect, and am afraid to miss the timing of all this, and your appointment.

I believe it is my duty to ask.

Deborah

Private cell please:  
(b) (6)

Sent from my iPhone

**From:** [Pruitt, Scott](#)  
**To:** [Leavy, Jacqueline](#); [Brown, Stephanie N.](#)  
**Cc:** [Gaines, Cynthia](#)  
**Subject:** Fw: CEQA NEPA  
**Date:** Friday, March 03, 2017 3:36:01 PM

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Pls add to the CMS file. Thanks.

- Brian

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**From:** Deborah Deets <[deborah.deets@lacity.org](mailto:deborah.deets@lacity.org)>  
**Sent:** Tuesday, February 28, 2017 10:55 AM  
**To:** Pruitt, Scott  
**Subject:** Re: CEQA NEPA

...Permit expedition is a good compromise for this item--  
and I do believe it will happen.

thanks.

Deborah

On Thu, Feb 23, 2017 at 12:51 PM, Deborah Deets <[deborah.deets@lacity.org](mailto:deborah.deets@lacity.org)> wrote:

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I believe it is my duty to ask.

Deborah

Private cell please:

(b) (6)

Sent from my iPhone

--

Deborah Deets, Landscape Architect QSP/QSD  
Watershed Protection Division  
LA Sanitation - City of Los Angeles  
1149 South Broadway, 10th Floor  
Los Angeles, CA 90015  
Phone: [213-485-3913](tel:213-485-3913)

Fax: [213-485-3939](tel:213-485-3939)

E-Mail: [deborah.deets@lacity.org](mailto:deborah.deets@lacity.org)

\*\*\*\*\*

*Stay in the Loop!*



Mon Feb 27 16:05:46 EST 2017  
Pruitt.Scott@epamail.epa.gov  
Fw: Saving Energy AND Job Creation  
To: CMS.OEX@epamail.epa.gov

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**From:** Richard Fennelly <richard@coilpod.com>  
**Sent:** Thursday, February 23, 2017 11 54 AM  
**To:** Pruitt, Scott  
**Subject:** Saving Energy AND Job Creation

Instituting a vigorous refrigeration coil cleaning effort for non-residential sector(s) in the US will save a lot of energy\* (and reduce GHG emissions) as well as creating a lot of jobs ("nobody" is doing it, and it is very labor intensive) ! ---- I'd welcome the chance to share our Power Point with someone in your agency for discussion of the topic in more depth:

The frequent cleaning of self-container condenser coils in plug-in "coolers" can give big, unappreciated savings as explained in a recent story in Energy Manager Today --- here's the link to it: <http://www.energymanagertoday.com/condenser-coil-maintenance-pays-off-0127798/>

I'm attaching a full synopsis of the impressive third party energy savings data mentioned in the article and would be happy to discuss this topic and our technology at your convenience. Just send a signal if that will help.

\* energy savings in the US yearly from our attached "beta" analysis = **\$11.66 billion**.

\*\* job creation: **27 million person hours yearly** if four coil cleanings/year are conducted (as is recommended by third party experts)

Regards  
Richard Fennelly  
CoilPod LLC  
[www.coilpod.com](http://www.coilpod.com)  
Phone [914-819-8937](tel:914-819-8937)